



PATENT
454313-2335.1
09/586,535

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Audonnet et al.
Serial No. : 09/586,535
For : DNA VACCINE - PCV
Filed : May 31, 2000
Examiner : B. Dhruva
Art Unit : 1632

745 Fifth Avenue, New York, NY 10151.

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Mailing Label Number: EL585030154US

Date of Deposit: December 12, 2000

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Edward Nay

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**STATEMENT TO SUPPORT FILING AND
SUBMISSION IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

Assistant Commissioner for Patents
Box Sequence
Washington, D.C. 20231


Dear Sir:

The undersigned hereby states that the content of the printed Sequence Listing for the above-referenced application filed, and the computer readable copy, submitted in accordance with 37 C.F.R. §§ 1.821(c) and (e), are the same.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required as a result of this statement, applicants petition for any required relief including extensions of time and authorize the Assistant Commission to charge the cost of such petitions and/or other fees due to our Deposit Account No.: 50-0320. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

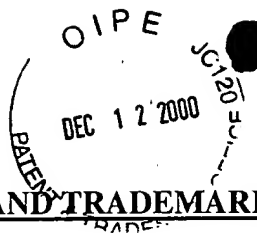
Respectfully submitted,

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Attorneys for Applicant


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Edward Nay

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Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed are:

1. Copy of Notice to Comply;
2. Return-receipt postcard;

3. Diskette containing the computer readable form of Sequence Listing ;
4. Paper copy of Sequence Listing;
5. Statement to Support Filing and Submission In Accordance with 37 C.F.R. §§
1.821 - 1.825; and
6. Preliminary Amendment.

The Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16, 1.17, or 1.21 that may be required by this transmittal, or to credit any overpayment, to
Deposit Account No.:50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant



Susan K. Lehnhardt
Reg. No. 33,943
(212) 588-0800



Application No.: 09/586,535

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

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